

WESTERN DISTRICT OF TN

FILED IN OPEN COURT:

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
EASTERN DIVISION

DATE: 5/13/10

TIME: 9:40 a.m.

INITIALS: lu

UNITED STATES OF AMERICA, )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
SHAUN PATRICK SULLIVAN, )  
 )  
Defendant. )  
 )  
 )  
 )

Cr. No. 09-CR-10090

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**PLEA AGREEMENT**

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The following plea agreement constitutes the entire agreement between the parties and the parties agree that any issues not specifically addressed by this plea agreement shall be resolved by the Court in accordance with the applicable statutes, guidelines, rules and case law. The parties agree as follows:

1. The defendant, SHAUN PATRICK SULLIVAN agrees to plead guilty to Count 1 and 2 of the Indictment in the above-styled cause.
2. The defendant, SHAUN PATRICK SULLIVAN will pay the \$100.00 special assessment prior to sentencing.
3. Provided the defendant, SHAUN PATRICK SULLIVAN commits no new criminal offenses and continues to demonstrate an affirmative acceptance of responsibility, including acknowledging guilt in open court to the facts as set out in the Indictment, the United States agrees to recommend to Court that the defendant, SHAUN PATRICK SULLIVAN receive the maximum points allowable for "acceptance of

responsibility” under section 3(e) 1.1 of the Federal Sentencing Guidelines.

4. Pursuant to Rule 11(c)(1)(C) of the Federal Rules of Criminal Procedure and in consideration for the Defendant’s plea of guilty, the Government and the Defendant jointly recommend the following: that the Defendant be sentenced to a term of imprisonment of 10 years.
5. Should it be judged by the Government that the defendant, SHAUN PATRICK SULLIVAN has committed or attempted to commit any additional crimes or has engaged in any conduct constituting, obstructing or impeding justice within the meaning of United States Sentencing Guidelines Section 3C1.1 or has failed to make any court appearances in this case, from the date of the defendant, SHAUN PATRICK SULLIVAN’s signing of the plea agreement to the date of the defendant, SHAUN PATRICK SULLIVAN’s sentencing, or if the defendant, SHAUN PATRICK SULLIVAN attempts to withdraw his plea, the Government will be released from its obligations and would become free to argue for any sentence within statutory limits. Such a breach by the defendant, SHAUN PATRICK SULLIVAN would not release the defendant, SHAUN PATRICK SULLIVAN from his plea of guilty.
6. It is further understood by all parties to this agreement that the Court may accept or reject this agreement, or may defer its decision as to the acceptance or rejection until there has been an opportunity to consider the Presentence Report. If the Court accepts this agreement, the Court shall sentence the defendant in accordance with the terms of this plea agreement. If, however, the Court rejects this agreement, the Court shall afford the defendant with the opportunity to withdraw the plea of guilty pursuant to the provisions of Federal Rule of Criminal Procedure 11(d) and advise

the defendant that if he persists in this guilty plea, the disposition of the case may be less favorable to the defendant than that contemplated by this agreement.

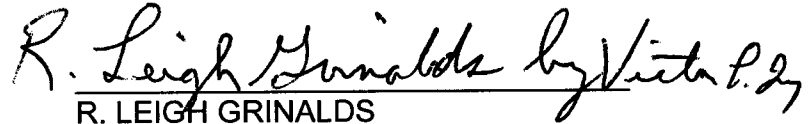
7. The defendant, SHAUN PATRICK SULLIVAN knowingly, intelligently and voluntarily waives any rights to an appeal of his conviction or sentence. The defendant, SHAUN PATRICK SULLIVAN further understands that nothing in this agreement shall affect the government's right and/or duty to appeal as set forth in Title 18, United States Code, Section 3742(b); however, if the United States appeals, the defendant, SHAUN PATRICK SULLIVAN shall be released from the above waiver of appellate rights. By signing this agreement, the defendant, SHAUN PATRICK SULLIVAN acknowledges that he has discussed the appeal waiver set forth in this agreement with his attorney. The defendant, SHAUN PATRICK SULLIVAN further agrees, together with the United States, to request that the District Court enter a specific finding that the defendant, SHAUN PATRICK SULLIVAN's waiver of his right to appeal the sentence to be imposed in this case was knowing and voluntary.
8. There are no other agreements between and among the parties to this agreement. The defendant, SHAUN PATRICK SULLIVAN enters this agreement freely, knowingly, and voluntarily, and upon the advice of counsel.

Respectfully submitted,

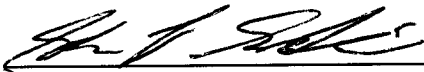
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SHAUN PATRICK SULLIVAN

05/13/10

DATE